

SUMMARY OF MAJOR PROVISIONS OF H.R. 1085, NASA FLEXIBILITY ACT OF 2003, AS REPORTED BY SUBCOMMITTEE

- **Greater Flexibility in Civil Service Law to Address NASA's Critical Needs:** Authorizes NASA greater flexibility to recruit, retain, and restructure its workforce to address the agency's critical needs.
- **Vigorous Congressional Oversight:** Before exercising any of the authorities provided under this Act, the NASA Administrator must submit to Congress and all NASA employees a detailed Workforce Plan developed in consultation with the Office of Personnel Management. Directs NASA to submit annual performance plans and specific information on the use of these workforce authorities to Congress for the next 10 years. After 6 years, NASA is to submit to Congress an evaluation of how the authorities exercised under this Act addressed NASA's critical needs.
- **Higher Bonuses:** Under current law, recruitment and relocation bonuses are authorized up to 25 percent of an employee's annual salary. This Act allows NASA to award recruitment, redesignation, and relocation bonuses up to 50 percent of an employee's annual salary multiplied by an agreed-upon service period (up to 4 years) if the position addresses a critical need.
- **Higher Retention Bonuses:** Authorizes NASA to pay retention bonuses up to 50 percent of an employee's annual salary if the employee's position addresses a critical need. Current law authorizes retention bonuses only up to 25 percent of an employee's annual salary without locality adjustments.
- **Science & Technology Scholarships:** Authorizes NASA to set-up a "scholarship for service" program where NASA would pay for up to 4 years of undergraduate or graduate school education. In exchange, the student is obligated to work for NASA after graduation. Authorizes \$10 million per year.
- **Qualifications Pay:** This section allows NASA to adjust the pay to any step within an employee's grade in the General Schedule (GS) for employees with superior qualifications and additional duties.
- **Higher Buyout Authority:** Authorizes NASA to pay Voluntary Separation Incentive (VSI) payments up to 50 percent of an employee's annual salary if several strict conditions are met. Current law allows VSI payments up to \$25,000.
- **Term Appointments:** Authorizes NASA to make term appointments for up to six years. Current law limits term appointments to a four-year term. Allows term appointments to be converted to career-conditional civil service appointments under strict conditions.
- **Pay Authority for Critical Positions:** Authorizes the NASA Administrator to fix the rate of pay up to the level of the Vice-President's pay (\$198,600 per year) for up to ten employees. Such employees must have expertise of an extremely high level in scientific, technical, professional, or administrative fields.
- **Enhanced Demonstration Project:** Authorizes NASA to conduct a personnel demonstration project for 8,000 employees rather than only 5,000 employees authorized in current law. NASA employs 18,000 civil servants.
- **Distinguished Scholars:** Allows NASA to directly hire recent graduates from undergraduate or graduate school with high grade point averages. Veteran's preferences still apply.
- **Assignments under the Intergovernmental Personnel Act (IPA):** Allows NASA to grant extensions of

four years to personnel serving in IPA assignments. Currently, only two-year extensions are allowed after an initial two-year assignment. Thus, an IPA assignment may last a total of six years under the new authority versus only four years under current law.

- **Limited Senior Executive Service (SES) Appointments:** Allows NASA to temporarily fill career reserved SES positions due to death, illness, training, or special-tasking of the employee previously holding that position.
- **Travel Expenses for New Appointees:** Allows NASA to compensate newly hired employees for certain travel and transportation expenses that current employees are already eligible to receive.
- **Annual leave enhancements:** This section provides the authority for new appointees to NASA with no prior Federal service to accrue leave at the rate normally allowed for a Federal employee of similar experience.